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ABSTRACT

This cooperative agreement among the North Dakota Department of Human Services (Division of Vocational Rehabilitation and Division of Developmental Disabilities), explains the necessity of providing a coordinated continuum of services to individuals with disabilities and outlines procedures to be followed. Addressed in the individual sections of the agreement are its purpose; the roles and functions of each of the agencies; their service capabilities; their roles and their areas of primary responsibility; the implementation plan for developing and maintaining interagency cooperation (including definitions and responsibilities, training necessary for implementation of the agreement and procedures for monitoring the agreement, obtaining feedback, and conducting annual reviews); and state agreement assurances. The services to be provided by Special Education, Vocational Education, Vocational Rehabilitation, and Developmental Disabilities in the areas of client identification, assessment, individualized program planning, program implementation and training activities, and service delivery systems (including related services) are presented in chart form. The agreement concludes with a diagram of the four-step transition model. (MN)

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NORTH DAKOTA INTERAGENCY COOPERATIVE AGREEMENT FOR INDIVIDUALS WITH HANDICAPS

between

the
State Board for Vocational Education

the
North Dakota Department of Public Instruction
Division of Instruction, Special Education

and the
North Dakota Department of Human Services
Division of Vocational Rehabilitation
Division of Developmental Disabilities

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August 1985

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I. Purpose of Agreement

Federal and state legislation requires that agreement between agencies be consummated to deliver services to individuals with handicaps. Inherent in the provision of such programs and services is a basic commitment on behalf of the state agencies to provide the best set of services possible for individuals with handicaps by:

A. Assuming primary responsibility for assisting local education agencies in the development and implementation of services to serve individuals with handicaps;

B. Assuming that individuals with handicaps eligible for services under the Education of Handicapped Children Act of 1975 (P.L. 94-142) as amended by P.L. 98-199 and the North Dakota Century Code 15-59; the Carl D. Perkins Vocational Education Act of 1984 (P.L. 98-524); the Rehabilitation Act of 1973 (P.L. 93-112) as amended by P.L. 95-602; Developmental Disabilities Services as authorized by P.L. 95-602 and the North Dakota Century Code 25-01.2 and 25-16, receive all appropriate services for which they are eligible;

C. Assuring that the rights of individuals with handicaps are protected in compliance with Section 504 of the Rehabilitation Act of 1973 as amended; and

D. Establishing a process whereby service providers on a regional basis will develop regional agreements.

The delivery of a continuum of appropriate programs and services to individuals with handicaps requires the cooperative efforts of Special Education, Vocational Education, Vocational Rehabilitation and Developmental Disabilities. The cornerstone of this process is an integrated service delivery system as set forth in this interagency agreement which is based upon a mutual commitment and philosophy of placement of individuals with handicaps in the least restrictive environment. This commitment can be realized through a smooth transition from school to employment and adult services.

II. Roles and Functions of State Agencies: State Board for Vocational Education; Department of Public Instruction, Division of Instruction, Special Education; Department of Human Services, Divisions of Vocational Rehabilitation and Developmental Disabilities.

A. The Division of Vocational Rehabilitation of the Department of Human Services is the designated state unit responsible for providing vocational rehabilitation services necessary for preparing and assisting eligible individuals with disabilities to engage in a gainful occupation. Priority of services is given to the most severely disabled.

B. The State Board for Vocational Education is the sole state agency responsible for the administration and supervision of vocational programs operated and funded with federal and state appropriations. Appropriations are used to make vocational training available to citizens of North Dakota.

C. The Department of Public Instruction is the state agency responsible for the administration and supervision of special education programs operated and funded by federal and state appropriations.

Appropriations are used to make special education programs available to all persons with handicaps, ages 3 through 21.

D. The Developmental Disabilities Division of the Department of Human Services is responsible for providing case management services to help individuals with developmental disabilities and their families find appropriate services and is responsible for availability of infant development programs for identified handicapped children ages 0 through 2.

E. All four entities agree to:

1. Provide public school personnel, rehabilitation counselors, local vocational education personnel, and developmental disabilities case management personnel with information on services and functions of each cooperating entity;

2. Provide inservice training for the cooperating entities to increase knowledge of their respective activities and responsibilities;

3. Develop and share a coordinated transition process for location, identification, evaluation, and placement of persons in need of special or prolonged assistance;

4. Share information pertaining to funding responsibilities;

5. Maintain the confidential character of personally identifiable information exchanged between the entities and insure such information will be used only for the purpose for which it was made available;

as reviewed and delineated annually in the Implementation Plan.

III. Service Capabilities: Vocational Education, Special Education, Vocational Rehabilitation, and Developmental Disabilities

It is hereby agreed that Special Education, Vocational Education, Vocational Rehabilitation, and Developmental Disabilities will continue to work together to improve services for persons with handicaps.

A. The Local Education Agencies are responsible to assure that all students are provided with appropriate academic and/or vocational education programs. The Local Education Agency (LEA) is responsible to develop an Individualized Education Program (IEP) for each student who is handicapped. In addition, at age 14 the LEA is responsible for developing a plan which addresses the transition responsibilities. Interagency services (special education, vocational education, vocational rehabilitation, and/or developmental disabilities) may be required to carry out the transition plan. (See Appendix: A Four-Step Transition Model for School-to-Employment-and-Adult-Services.)

Where it is suspected that an impairment or health problem will cause a barrier to employment, the Local Education Agency will initiate and Vocational Rehabilitation or Developmental Disabilities will accept a referral and help such eligible students plan for and receive training and employment.

B. It is the policy of Vocational Education that students with handicaps must have equal opportunity to access regular vocational education programs. Vocational Education funds will also be used to support secondary special education students in modified vocational education programs.

A special education eligible student may not be served in a vocational education program unless Vocational Education has been involved in the development of the Individualized Education Program.

1. The student's Individualized Education Program must contain a long-range vocational goal, a tentative listing of vocationally related courses to be taken until completing the high school studies, one or more annual vocational goals, plans for the student upon leaving the program, and a description of vocational services to be provided.

2. Modified curriculum and instructional methods must be developed to meet the individual needs of the special education eligible student.

Vocational Education funds will also be used to support postsecondary and adult vocational programs for persons who are handicapped.

C. Special Education and Vocational Education staff will have joint responsibility for students whose disability precludes completion of the normal course of study and must have access to a modified program. Vocational Rehabilitation may provide additional services, depending on funds, needed to help the student who is handicapped succeed in the modified program.

D. Vocational Rehabilitation is the accountable entity for coordinating post-school training and placement of each eligible person who is handicapped who has potential for gainful employment.

E. Developmental Disabilities is the accountable entity for coordinating post-school planning and training for the eligible individual with developmental disabilities who does not have identified potential for gainful employement.

F. Vocational Rehabilitation has the responsibility for the provision of rehabilitation services to eligible persons with handicaps who have not completed an approved course of study, but who have withdrawn from a local program. Where students are interested in returning to school, Vocational Rehabilitation will confer with the school district on jurisdiction in an attempt to have structured within that district an educational or vocational training program that would lead to the completion of an approved course of study.

G. Vocational Rehabilitation, Vocational Education, Special Education, and Developmental Disabilities agree to collaboratively develop and execute the Individualized Education Program, Individualized Vocational Education Plan, Individualized Written Rehabilitation Program, and the Individual Service Plan. At age 14 the needs will be reviewed and a transition plan developed for the movement of the student from educational services to adult services.

IV. Service Roles

Following are the services that may be provided in the respective areas, as designated:

Continuum of Services	Provided by SPECIAL EDUCATION	Provided by VOCATIONAL EDUCATION *	Provided by VOCATIONAL REHABILITATION *	Provided by DEVELOPMENTAL DISABILITIES *
A. FIND ACTIVITIES	. Awareness . Screening . Referral to Assessment	. Awareness . Referral to Assessment	. Screening . Referral to Assessment	. Public Awareness . Referral to Assessment
B. ASSESSMENT - the process of identification to determine eligibility and assist in program planning. (Assessment is actually on-going because of the developmental nature of the population) Utilization will be made of existing information by agency receiving referral.	. Educational Data . Psychological/Behavior . Social/Home/Peer . Initial medical diagnoses to determine eligibility . Speech/Language . Vocational . Aptitude/Interest	. Level I - Review and interpretation of existing ability, interest and aptitude information relative to the student's vocational goals and programming and need for support services. . Level II - Administration of additional ability, interest and aptitude assessment relative to the student's vocational goals and programming and need for support services. . Level III - Referral for additional assessment to special education and vocational rehabilitation relative to the student's vocational goals and programming and need for support services.	. Current General Health assessment and necessary specialists evaluations (i.e., Psychological, Neurological, Orthopedic, Audiological, etc.) . Vocational Evaluation . Vocational Diagnosis utilizing educational, social and vocational information . Functional limitations based on individual's disability and recommendations for remediation . Determination of degree of handicap and its effect on vocational activity	. Functional assessment accomplished by case manager using computerized North Dakota Developmental Disability Case Management System Profile (Minnesota Developmental Profile Scale-Bock) . Psychological assessment must be provided by applicant or other agency as necessary for eligibility determination* . Social and educational assessments must be provided by applicant or other agency* . Medical assessment and history must be provided by applicant or other agency as necessary for eligibility determination* * If the information is not available or more specialized evaluation is deemed necessary a referral will be made to other agency
C. INDIVIDUALIZED PROGRAM PLANNING	. Individual Education Program (IEP) . Transition Plan at age 14 with Vocational Education, Vocational Rehabilitation, and Developmental Disabilities . Participation in IVEP, IWRP, ISP where appropriate	. Individual Vocational Education Plan (IVEP) . Participation in IEP and IWRP were applicable . Transition Plan at age 14 with Special Education, Vocational Rehabilitation and Developmental Disabilities	. Individualized Written Rehabilitation Program (IWRP) . Participation in IEP, IVEP and ISP where appropriate . Transition Plan at age 14	. Individual Service Plan (ISP) . Transition Plan at age 14 . Participation in IEP, IVEP and IWRP where appropriate

IV. Service Roles (continued)

Continuum of Services	Provided by SPECIAL EDUCATION	Provided by VOCATIONAL EDUCATION	Provided by VOCATIONAL REHABILITATION	Provided by DEVELOPMENTAL DISABILITIES
D. PROGRAM IMPLEMENTATION AND TRAINING ACTIVITIES	. Special Education . Pre-vocational/career education . Vocational education . Resource support to regular classroom teachers . Work experience/work study	. Regular Vocational Education Support Services 1. to student 2. to instructor . Modified Regular Vocational Education Support Services 1. to student 2. to parent . Special Vocational Education* . Career Education . Pre-vocational Education . Resource support to education personnel	. Regular vocational education/work adjustment (O.J.T. selective training experience, co-op and related programs) . Adaptive regular (specially designed vocational education/work adjustment) . On-going vocational assessment services . Special (separate) vocational education/ work adjustment . Vocational and other training including personal and vocational adjustment, books, tools and other training materials. All on individual needs basis to eligible clients . Planning for post-secondary training . Work experience	. Case Management a. Diagnosis/Evaluation and Assessment b. Case Planning c. Coordination of service delivery d. Monitoring of client progress/ outcome . Functional assessment (on-going) . Planning for post-secondary services
E. SERVICE DELIVERY SYSTEM including related services	. Interpreter/notetaker . Reader services for the blind . Special tools, devices for learning and job training site accommodation . Instructional modifications . Special support staff (aides, tutors and paraprofessionals) . Related services (OT, PT and speech correction) . Curriculum modification and development . Special transportation needs . Monitoring services and student progress . Vocational guidance . Personal and family counseling . Psycho therapy	. Instructional modifications . Curriculum modifications and development* . Special support staff (aides, tutors, interpreters, notetakers, readers) . Monitoring services and student progress . Special tools, devices and equipment for learning and job training accommodations . Vocational guidance and counseling . Cooperative education . Program advisory committees * Secondary Education only	. Vocational guidance and counseling . Coordination of medical services if needed to vocationally prepare for job placement a. Assist in locating training stations b. Modify work environment c. Adaptive appliances d. Reimburse employers for training costs (O.J.T.) . Physical and mental restoration . Additional services provided as appropriate . On-the-job training . Transportation . Services to family members . Subsistance while in post-secondary training	. Respite care-as eligible . Family subsidy as eligible . Residential services for children a. Extended family care b. ICF/MR . Infant development . Residential Services . Day Services for Adults

V. Areas of Primary Responsibility: Instructonal Training Components, Age, Level and Program

Instructional Training Components	Age Range	Level	Program Responsibility
Infant Development	0-2	Preschool	Developmental Disabilities
Basic Education and Personal Adjustment	3-21	Preschool through Secondary	Special Education and General Education
*Prevocational	12-up	Intermediate through Secondary	Special Education and Vocational Education
Vocational	14-21	Secondary	Special Education, Vocational Education, and Vocational Rehabilitation
Vocational	Over 18	Postsecondary	Vocational Education and Vocational Rehabilitation
Vocational	Over 21	Adult	Vocational Education, Vocational Rehabilitation, and Developmental Disabilities

*Note: Prevocational-Experiences in the classroom and laboratory which provide opportunities for students to explore a broad range of occupations and acquire limited skill development. Examples include typing courses, industrial arts, general business, and job seeking and job keeping instruction.

VI. Implementation Plan

This section reflects the guidelines for planning and implementing this agreement at the state and regional level (the Governor's eight planning regions). It consists of five sections: A) Definition and Responsibility of state level and interagency steering committees, B) Training for the Implementation of this Agreement, C) Monitoring, D) Feedback, and E) Annual Review.

A. Definitions and Responsibilities

1. The North Dakota Interagency Steering Committee will consist of one representative from each of the following: the State Board for Vocational Education; the North Dakota Department of Public Instruction, Division of Instruction, Special Education; the Department of Human Services, Division of Vocational Rehabilitation and Division of Developmental Disabilities.

   The members will rotate the responsibility of chairing the Interagency Steering Committee on a yearly basis. The chairperson of the State Steering Committee will be responsible for scheduling meetings between the four state committee members as defined in this agreement.

2. The Regional Interagency Committees will consist of at least the following: a Special Education Director, the Vocational Rehabilitation Regional Administrator, a Vocational Education Director, and the Developmental Disabilities Regional Coordinator, and others as deemed appropriate by the committee. The chairperson at the regional level will have the responsibility to call an interagency meeting for the purpose of developing plans, reviewing feedback, refining plans as needed, and determining what assistance the regional committee may need to request of the State Steering Committee.

3. Regional personnel of Vocational Education, Special Education, Vocational Rehabilitation, and Developmental Disabilities will submit an annual regional interagency agreement to the North Dakota Interagency Steering Committee describing interagency cooperative planning for services to persons with handicaps following the format of the state agreement. If no interagency cooperation exists, the annual plan will define steps to be taken for the development of regional interagency cooperative planning for these services.

B. Training for the Implementation of this Agreement

1. Training for regional personnel to develop regional planning will be provided by the North Dakota Interagency Steering Committee beginning in the fall of 1985.

2. Trainees will consist of regional personnel from Developmental Disabilities, Secondary and Postsecondary Vocational Education and Special Needs, Special Education, Vocational Rehabilitation, and representatives of the North Dakota state schools.

C. Monitoring

1. Monitoring will take place via the annual review of regional agreements by the Interagency Steering Committee and additional information.

2. Additional information will be gathered by each state entity through its normal review process.

D. Feedback

1. Using information obtained from review of annual agreements and additional information, the North Dakota Interagency Steering Committee will provide feedback to the regions through the regional chairperson. Written feedback will be provided only when the State Steering Committee observes the need for changes at the regional level.

2. Feedback regarding the interagency efforts between the four entites at the state and regional level will be provided from the State Steering Committee to the appropriate state agency personnel of Vocational Education, Vocational Rehabilitation, Developmental Disabilities, and Special Education and to the North Dakota Legislature, as needed.

E. Annual Review

The North Dakota Interagency Steering Committee will evaluate annually the interagency efforts of the preceding year and plan for the following year. This planning would address the need for: revisions in the agreement; training at the local/regional levels; resolutions of problems/issues which have been identified; integration of data processing systems for the purpose of facilitating interagency coordination and resource sharing, etc.

VII. State Agreement Assurances

A. Planning Cycles and Interagency Linkages

Representatives of Vocational Education, Special Education, Vocational Rehabilitation, and Developmental Disabilities will meet periodically throughout the year as needed in order to develop a close working relationship on the mutual problems outlined in this agreement and to add to and improve their respective contributions to the individuals with handicaps. Expected results include more appropriate placement, education and training of individuals who are handicapped.

The provisions of this agreement shall be considered ongoing, subject to annual review.

B. Complaint Procedures

Each entity will designate a representative to receive client and consumer complaints. Procedures for reviewing and investigating complaints are as follows:

1. Upon receiving a complaint, the respresentative of the affected entity or entities will be notified in writing.

2. Regardless of which entity receives the complaint, when the complaint is against one entity only, it will be dealt with in the manner prescribed in that agency's state plan or policy.

3. When more than one entity is involved, the complaint will become a shared responsibility with each entity addressing that portion or portions which pertain specifically to that particular entity.

4. In instances where complaints or parts of a complaint are overlapping in nature and not clearly the responsibility of one entity, it will become a shared responsibility. Resolution of the situation will be accomplished in a cooperative effort by the representatives of the affected entities.

C. Statement of Confidentiality

Various laws and regulations govern the sharing of personal information. Legislation and regulations applicable to education records allow rather free access by the individual to his/her own records. Many programs will share information with other entities under conditions that such information will not be further divulged. Case files often contain information from a variety of sources, some of whom do restrict further release. Until these problems can be worked through, entities may permit the sharing of information only on a selective basis in accordance with State policies and Federal regulations.

The North Dakota Department of Public Instruction, Division of Instruction, Special Education; and the Department of Human Services, Division of Developmental Disabilities and Division of Vocational Rehabilitation; and the State Board for Vocational Education assure compliance with confidentiality safeguards as addressed in their respective state plans or policies.

D. Due Process

Procedural safeguards are addressed in detail in the state plans or policies prepared by each entity. For the purposes of this inter-agency agreement each entity reaffirms the right of due process and other procedural safeguards in their respective state plans or policies.

E. Compliance with Principal Legislation

The North Dakota Department of Public Instruction, Division of Instruction, Special Education; Department of Human Services, Division of Vocational Rehabilitation and Division of Developmental Disabilities; and the State Board for Vocational Education assure compliance with North Dakota State Statutes and Federal law including:

1. Part B of the Education for the Handicapped Act (EHA) as amended by Public Law 94-142 and Public Law 98-199; and

2. The Rehabilitation Act of 1973 (P.L. 93-112) as amended by P.L. 95-602; and

3. The Carl D. Perkins Vocational Education Act of 1984 (P.L. 98-524); and

4. Developmental Disabilities Services as authorized by P.L. 95-602 and the North Dakota Century Code 25-01.2 and 25-16.

IN WITNESS WHEREOF, the parties have reviewed and reinstated this agreement on the 13th day of September, 1985.

John A. Graham
Executive Director
Department of Human Services

James O. Fine
Director
Division of Vocational Rehabilitation

Darvin Hirsch, Ed. D.
Director
Division of Developmental Disabilities

Wayne G. Sanstead, Ed. D.
Superintendent
Department of Public Instruction

Gary W. Gronberg, Ed. D.
Director of Special Education
Department of Public Instruction

Carrol E. Burchinal
State Director and Executive Officer
State Board for Vocational Education

I have reviewed this cooperative interagency agreement between the State Board for Vocational Education; the Division of Instruction, Special Education of the Department of Public Instruction; and the Division of Vocational Rehabilitation and Division of Developmental Disabilities of the Department of Human Services of North Dakota, and approve it.

George A. Sinner, Governor
State of North Dakota

APPENDIX

A FOUR-STEP TRANSITION MODEL FOR SCHOOL-TO-EMPLOYMENT-AND-ADULT SERVICES FOR INDIVIDUALS WITH HANDICAPS